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### REMARKS

Applicant would like to thank Examiner Leslie Wong for the very courteous and helpful telephone discussion held with Applicant's representative on August 3, 2006.

During the discussion, the Examiner indicated that the inclusion of functional language in the claims reciting that the tendency of the claimed sweetening agents to induce diarrhea upon consumption is at least partially reduced by the claimed amounts of inulin would place this application in condition for allowance. The present amendment fully adopts the amendments requested by the Examiner.

#### Double Patenting

The rejection of claims 1-29 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3 of U.S. Patent No. 6,399,142, and the provisional rejection of claims 1-29 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the claims of co-pending Application Nos. 10/443,935 (now U.S. Patent No. 7,045,166) and 10/981,335 have been obviated by the filing herewith of three (3) Terminal Disclaimers. Accordingly, withdrawal of all grounds of rejection is respectfully requested.

#### Claim Rejections – 35 U.S.C. § 103 (a)

The rejection of claims 1-29 under 35 U.S.C. § 103(a) as being unpatentable over *James* (United States Patent No. 5,721,004), *Teeuwen et al.* (abstract), *Thon* (abstract), and *Birch et al.* (abstract) in view of *Laurenzo et al.* (EP 0 787 745 A2) is respectfully traversed for the reasons set forth in Applicant's Appeal Brief filed March 23, 2005.

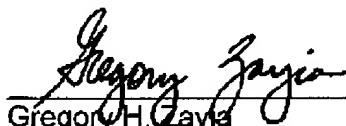
Notwithstanding, Applicant has adopted the Examiner's recommendation for clarifying the independent claims to recite that the tendency of the claimed sweetening agents to induce diarrhea upon consumption is at least partially reduced by the claimed amounts of inulin. Accordingly, withdrawal of this ground of rejection is respectfully requested.

**Conclusion**

In view of the Remarks set forth above, Applicant respectfully submits that the claimed invention is in condition for allowance. Early notification to such effect is earnestly solicited.

If for any reason the Examiner feels that the above Remarks do not put the claims in condition to be allowed, and that a further discussion would be helpful, it is respectfully requested that the Examiner contact the undersigned agent directly at (312)-321-4257.

Respectfully submitted,



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